

CLOSED,WMSPT

**United States District Court  
Middle District of Pennsylvania (Williamsport)  
CIVIL DOCKET FOR CASE #: 4:01-cv-01218-JFM**

Rinaldi v. Federal Bureau of In  
Assigned to: Honorable James F. McClure, Jr  
Demand: \$0  
Cause: 05:552 Freedom of Information Act

Date Filed: 06/28/2001  
Date Terminated: 11/03/2003  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****Michael Rinaldi**

represented by **Michael Rinaldi**  
AM8328  
S.C.I.-Chester  
500 East Fourth Street  
Chester, PA 19013-4551  
PRO SE

V.

**Defendant**

**Federal Bureau of Investigation**  
*Headquarters and Philadelphia Field  
Office*  
*TERMINATED: 11/03/2003*

represented by **J. Justin Blewitt , Jr.**  
Assistant U.S. Attorney  
U.S. Attorney's Office – Civil  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
06/28/2001	1	COMPLAINT re: Freedom of Information Act Receipt #: 333 84201 Amt: 150.00 (hm) (Entered: 07/03/2001)
06/28/2001	2	STANDING PRACTICE ORDER (cc: all counsel court) (hm) (Entered: 07/03/2001)
06/28/2001		PRISONER LETTER issued as to plaintiff Michael Rinaldi with Notice and Consent Form (hm) Modified on 07/03/2001 (Entered: 07/03/2001)
07/18/2001		SUMMONS ISSUED as to defendant Federal Bureau of Investigation, per request of Plf and permission of Court. To Plf for svc on Dft (bp) (Entered: 07/18/2001)
08/21/2001	3	RETURN OF SERVICE (captioned, "Affidavit of Michael Rinaldi") executed by certified mail (copies only of cert'd mail receipts) upon defendant Federal Bureau of Investigation, Phila, PA, 7/26/01; upon US Atty, 7/26/01; FBI, Washington, DC, 7/27/01; US Atty Gen, 7/30/01. (vg) (Entered: 08/22/2001)
09/24/2001	4	MOTION by defendant Federal Bureau of In to extend time to answer until 10/24/01 with Cert of Non-Concurrence & Service. (ao) (Entered: 09/24/2001)
09/27/2001	5	ORDER by Judge James F. McClure Jr. granting Dft motion to extend time to answer until 10/24/01 [4-1] for Federal Bureau of Investigation. (cc: all counsel) (bp) (Entered: 09/27/2001)
10/23/2001	6	MOTION by defendant Federal Bureau of In to extend time to answer C/S (sm) (Entered: 10/23/2001)

10/26/2001	<u>7</u>	ORDER by Judge James F. McClure Jr. granting Dft motion to extend time to answer [6-1] to 11/7/01 for Federal Bureau of Investigation. (cc: all counsel) (bp) (Entered: 10/26/2001)
11/07/2001	<u>8</u>	ANSWER by defendant Federal Bureau of Investigation with attached exhibits A-K and C/S (sm) (Entered: 11/08/2001)
11/09/2001	<u>9</u>	ORDER by Judge James F. McClure Jr. setting pretrial conference 3/21/02 at a time to be announced. Paragraphs re extensions of time, discovery, dispositive motions, expert witnesses, motions in limine. The case will be tried non-jury. Trial date will be set at final pretrial conference. Upon request of both counsel, a settlement conference will be scheduled before a Sr. district judge or magistrate judge. All references to "counsel" in this order shall include Plaintiff so long as he continues this action w/o representation by an attorney. Clerk to mail copies of this order directly to Plaintiff and counsel for Defendant. (done) Case placed on STANDARD Case Mgmt. Track (cc: all Plaintiff pro se, counsel for Dft) (bp) (Entered: 11/09/2001)
11/29/2001	<u>10</u>	DOCUMENT from Dft in letter form attaching proposed scheduling order (bp) (Entered: 11/29/2001)
11/29/2001	<u>11</u>	ORDER by Judge James F. McClure Jr. - Motions for judgment on pleadings or for summary judgment to be filed by 3/25/02. Case will be placed on trial list, if necessary, upon disposition of all summary judgment motions, or if none is timely filed. Final pretrial/settlement conference will then also be scheduled and motion in limine deadlines established. Clerk to mail copies of this order directly to counsel for Dft and to Plaintiff pro se. This order supersedes all previous scheduling orders, to the extent inconsistent herewith. (cc: all counsel, Plaintiff pro se) (bp) (Entered: 11/29/2001)
11/29/2001	<u>12</u>	MOTION by plaintiff Michael Rinaldi "for Vaughn Index" (lg) (Entered: 12/03/2001)
12/13/2001	<u>13</u>	LETTER to court from plaintiff Michael Rinaldi in opposition to Dft suggested change in scheduling order (bp) (Entered: 12/13/2001)
12/13/2001	<u>14</u>	ORDER by Judge James F. McClure Jr. reaffirming the scheduling order of the Court dated 11/29/01. [11-1] (cc: all counsel) (bp) (Entered: 12/13/2001)
12/18/2001	<u>15</u>	BRIEF by defendant Federal Bureau of Investigation IN OPPOSITION to plaintiff's motion "for Vaughn Index" [12-1] with Cert of Service; reply brief due 12/31/01 (ao) (Entered: 12/19/2001)
12/28/2001	<u>16</u>	REPLY BRIEF by plaintiff in support of motion "for Vaughn Index" [12-1] (lg) (Entered: 12/28/2001)
01/07/2002	<u>17</u>	ORDER by Judge James F. McClure Jr. denying Plaintiff motion "for Vaughn Index" [12-1], but with the understanding that Dft will provide a Vaughn Index to accompany its motion for summary judgment. (cc: all counsel) (bp) (Entered: 01/07/2002)
02/04/2002	<u>18</u>	MOTION by plaintiff for summary judgment, proposed order (lg) (Entered: 02/05/2002)
02/04/2002	<u>19</u>	BRIEF/MEMORANDUM OF LAW by plaintiff IN SUPPORT of motion for summary judgment [18-1] (lg) (Entered: 02/05/2002)
02/04/2002	<u>20</u>	STATEMENT OF FACTS by plaintiff Michael Rinaldi in support of motion for summary judgment [18-1] (lg) (Entered: 02/05/2002)
02/04/2002	<u>21</u>	AFFIDAVIT of Michael Rinaldi regarding motion for summary judgment [18-1] (lg) (Entered: 02/05/2002)
02/04/2002	<u>22</u>	EXHIBITS by plaintiff Michael Rinaldi in support of motion for summary judgment [18-1] (lg) (Entered: 02/05/2002)
02/13/2002	<u>23</u>	MOTION by defendant Federal Bureau of Investigation to extend time from February 20, 2002 until March 15, 2002 to file brief with c/s. (ts) (Entered: 02/13/2002)
03/11/2002	<u>24</u>	MOTION by defendant Federal Bureau of Investigation to exceed page limitation with Cert of Non-Concurrence & Service. (ao) (Entered: 03/11/2002)

03/15/2002	<u>25</u>	ORDER by Judge James F. McClure Jr. granting Dft motion to exceed page limitation [24-1], and Dft shall be allowed to file a brief no longer than 26 pages. (cc: all counsel court) (bp) (Entered: 03/15/2002)
03/15/2002	<u>27</u>	MOTION by defendant Federal Bureau of In for summary judgment with Cert of Non-Concurrence & Service. (ao) (Entered: 03/15/2002)
03/15/2002	<u>28</u>	BRIEF by defendant Federal Bureau of In IN OPPOSITION to pltf's motion for summary judgment [18-1] with c/s; reply brief due 3/28/02 (ao) (Entered: 03/15/2002)
03/15/2002	<u>29</u>	RESPONSE by defendant Federal Bureau of In to pltf's Statement of Material Facts with c/s. (ao) (Entered: 03/15/2002)
03/15/2002	<u>30</u>	STATEMENT OF MATERIAL FACTS by defendant Federal Bureau of Investigation (ao) (Entered: 03/15/2002)
03/15/2002	<u>31</u>	BRIEF (Entitled "Memorandum of Points & Authorities) by defendant Federal Bureau of Investigation IN SUPPORT of motion for summary judgment [27-1] (ao) (Entered: 03/15/2002)
03/15/2002	<u>32</u>	DECLARATION of Scott A. Hodes in support of deft's motion for summary judgment [27-1] and in opposition to pltf's motion for summary judgment [18-1] with Attachments. (ao) (Entered: 03/15/2002)
03/18/2002	<u>33</u>	ORDER by Judge James F. McClure Jr. granting motion of Dft to extend time from February 20, 2002 until March 15, 2002 to file brief in opposition to Plf motion for SumJgm (cc: all counsel court) (bp) (Entered: 03/18/2002)
03/21/2002	<u>34</u>	MOTION by plaintiff to extend time to file reply to dfts response to pltfs motion for sum jgmt (lg) (Entered: 03/21/2002)
03/21/2002	<u>35</u>	ORDER by Judge James F. McClure Jr. ORDERING THAT: Plaintiff's Motion for an Extension of Time from 3/29/02 until 4/30/02 to file a reply to Defendant's Response to Plaintiff's Motion for Summary Judgment, & from 4/3/02 until 4/30/02 in which to respond to Defendant's Summary Judgment Motion, is granted [34-1]. (cc: all counsel court) (kf) (Entered: 03/21/2002)
03/22/2002	<u>36</u>	CERTIFICATE of CONCURRENCE by defendant Federal Bureau of In RE: Motion to extend time. (ao) (Entered: 03/25/2002)
04/12/2002	<u>37</u>	BRIEF by pltf IN OPPOSITION to motion for summary judgment [27-1]; reply brief due 4/25/02 (lg) (Entered: 04/16/2002)
04/12/2002	<u>38</u>	REPLY BRIEF by plaintiff in support of motion for summary judgment [18-1] (lg) (Entered: 04/16/2002)
04/12/2002	<u>39</u>	RESPONSE by plaintiff to dfts statement of material facts (lg) (Entered: 04/16/2002)
04/29/2002	<u>40</u>	REPLY BRIEF by defendant Federal Bureau of In in support of motion for summary judgment [27-1] with C/S. (ao) (Entered: 05/02/2002)
05/28/2003	<u>41</u>	MOTION for Judgment on the Pleadings by Plf Michael Rinaldi, CofS. (Attachments: # <u>1</u> Certificate re conc/non-conc.(bp) (Entered: 05/28/2003)
07/28/2003	<u>42</u>	NOTICE of Change of Address by Plaintiff Michael Rinaldi to SCI-Chester. (bp) (Entered: 07/28/2003)
08/28/2003	<u>43</u>	ORDER: DEFERRING judgment on the cross motions for summary judgment and Rinaldi's motion for judgment on the pleadings pending the court's in camera review of an unredacted Vaughn index; DIRECTING the FBI to provide the court with a complete, unredacted copy of the Vaughn index (Decl. Supp. Def.'s Mot. Summ. J. & Opp'n Pl.'s Mot. Summ. J., <u>22</u> within 20 days of the date of this order; DIRECTING the FBI to send or deliver the unredacted Vaughn index directly to chambers. The index will be treated as under seal, but will not be filed or docketed, and will be returned to the FBI when the court has completed its in camera review; DEEMING WITHDRAWN Rinaldi's motion <u>41</u> for judgment on the pleadings. Signed by Judge James F. McClure Jr. on 8/28/03. (km) (Entered: 08/28/2003)

11/03/2003	<u>44</u>	MEMORANDUM and ORDER: Granting the government's motion <u>27</u> for summary judgment; denying plaintiff's motion <u>18</u> for summary judgment; granting summary judgment in favor of the government; the court will return to the government the unredacted Vaughn index it used to conduct its in camera review; directing the clerk to close the case.Signed by Judge James F. McClure Jr. on 11/03/03. (km) (Entered: 11/03/2003)
11/03/2003	<u>45</u>	JUDGMENT in favor of Defendant against Plaintiff.(km) (Entered: 11/03/2003)